

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROMIL RAJU SHAH,

Plaintiff,

-v-

ALEJANDRO MAYORKAS, in his official capacity as Secretary of the United States Department of Homeland Security et al.,

Defendants.

21 Civ. 2885 (PAE) (RWL)

ORDER OF DISMISSAL

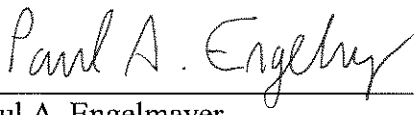
PAUL A. ENGELMAYER, District Judge:

On April 5, 2021, plaintiff filed the Complaint in this action. Dkt. 1. On October 12, 2021, because plaintiff had not served defendants with the Summons and Complaint, the Court issued an order to show cause why this action should not be dismissed for failure to prosecute. Dkt. 12. Plaintiff was ordered to advise the Court in writing, by October 22, 2021, why plaintiff had failed to serve defendants or, if plaintiff believed that defendants had been served, when and in what manner such service was made, or else the action would be dismissed without prejudice. *Id.* Plaintiff has not taken these steps or otherwise taken any action to make any progress in this case since the Court's order to show cause.

Accordingly, under Federal Rule of Civil Procedure 41(b) and the Court's inherent power, *see Link v. Wabash R.R. Co.*, 370 U.S. 626, 630–32 (1962), the Court hereby dismisses this case, without prejudice, for plaintiff's failure to prosecute.

The Clerk of Court is respectfully directed to close this case.

SO ORDERED.



Paul A. Engelmayer
United States District Judge

Dated: November 23, 2021
New York, New York